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UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
CIVIL APPEALS DOCKETING STATEMENT

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DEC 14 2012

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

DISTRICT OF HAWAII

TITLE IN FULL:	DISTRICT: Hawaii	JUDGE: Helen Gillmor
<i>Complaint For Deprivation of Civil Rights. 42 U.S.C. 1983 42 U.S.C. 1985 42 U.S.C. 1986</i>	DISTRICT COURT NUMBER: CV-12-00336 HG BMK	
	DATE NOTICE OF APPEAL FILED:  <i>DEC. 13, 2012</i>	IS THIS A CROSS APPEAL?  <i>No</i> YES
	IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY):  <i>[Blank]</i>	

## BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

*Challenge to Hawaii Revised Statute 134 denying the exercise of Second Amendment right to bear arms, concealed or unconcealed outside the home for purpose of self-defense. Challenge denied based on defendant's claim of sovereign immunity, Eleventh Amendment claim. Challenge dismissed without a hearing according to Hawaii Local Rule 7(d).*

## PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL:

- (1) Second Amendment right to bear arms for purpose of personal self-defense exists outside of one's home with equal purpose and validity.
- (2) Eleventh Amendment "sovereign immunity" is abrogated via Fourteenth Amendment Section 5, in the instance of violations of enumerated rights, that reflects a substantial guarantee.

## PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POST-JUDGMENT MOTIONS):

*Christopher Baker v. Louis Ke Aloha, Ninth Circuit Court of Appeals, No. 12-16258*

## DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:

Possibility of Settlement *No*Likelihood that intervening precedent will control outcome of appeal *No*Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify) *No*Any other information relevant to the inclusion of this case in the Mediation Program *No*Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges *No*

LOWER COURT INFORMATION			
JURISDICTION		DISTRICT COURT DISPOSITION	
FEDERAL	APPELLATE	TYPE OF JUDGMENT/ORDER APPEALED	RELIEF
FEDERAL ✓ QUESTION DIVERSITY OTHER (SPECIFY):	FINAL DECISION OF DISTRICT COURT ✓  INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT  INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY):  OTHER (SPECIFY):	DEFAULT JUDGMENT DISMISSAL/JURISDICTION DISMISSAL/MERITS SUMMARY JUDGMENT ✓ JUDGMENT/COURT DECISION JUDGMENT/JURY VERDICT DECLARATORY JUDGMENT JUDGMENT AS A MATTER OF LAW OTHER (SPECIFY):	DAMAGES: SOUGHT \$ <u>1,000,000</u> AWARDED \$ <u>- 0 -</u>  INJUNCTIONS: PRELIMINARY PERMANENT GRANTED <u>DENIED</u> ATTORNEY FEES: SOUGHT \$ <u>- 0 -</u> AWARDED \$ <u>- 0 -</u> PENDING COSTS: \$ <u>- 0 -</u>
CERTIFICATION OF COUNSEL			
<b>I CERTIFY THAT:</b> 1. COPIES OF ORDER/JUDGMENT APPEALED FROM ARE ATTACHED.  2. A CURRENT SERVICE LIST OR REPRESENTATION STATEMENT WITH TELEPHONE AND FAX NUMBERS IS ATTACHED (SEE 9TH CIR. RULE 3-2).  3. A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SERVED IN COMPLIANCE WITH FRAP 25.  4. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE FILING REQUIREMENTS MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL OF THIS APPEAL.			
 <i>George K. Young, Jr. Pro Se</i> <i>Signature</i>		<u>12/12/2012</u> <i>Date</i>	
COUNSEL WHO COMPLETED THIS FORM			
NAME	<u>George K. Young, Jr (Appellant Pro Se)</u>		
FIRM			
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FAX			
<b>**THIS DOCUMENT SHOULD BE FILED IN DISTRICT COURT WITH THE NOTICE OF APPEAL. **</b> <b>**IF FILED LATE, IT SHOULD BE FILED DIRECTLY WITH THE U.S. COURT OF APPEALS. **</b>			